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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/950,033	09/10/2001	John W. Yount	25110A	1720

22889 7590 01/09/2003

OWENS CORNING  
2790 COLUMBUS ROAD  
GRANVILLE, OH 43023

EXAMINER

EL ARINI, ZEINAB

ART UNIT	PAPER NUMBER
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1746

5

DATE MAILED: 01/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AS-5

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/950,033	YOUNT, JOHN W.	
	Examiner	Art Unit	
	Zeinab E. EL-Arini	1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
     If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
     a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> . | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Oath/Declaration***

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

Non-initialed and/or non-dated alterations have been made to the oath or declaration. See 37 CFR 1.52(c).

The date is missing in the declaration.

The title should be provided in the declaration.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 4, " the type" is indefinite term.

Claims 4-7 are indefinite and confusing in the recitation of " the step of (b) inserting-----comprises the step of (b) inserting---.

Claim 12 is improper dependent claim, because it depends on claim 12.

In claim 13, line 10, " may be", and at line 6, " the type" are indefinite terms.

In claim 18, line 6, " the type" is indefinite term.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yount (4,300,955) in combination with Dong (6,251,224) and AL-Jumah et al. (Re. 36,389).

Re. Claims 1, 9-10, 13,14, 18, 23, and 24, Yount teaches a process for removing a resinous coating from fiberglass products. The coating of resin is removed from spun fiberglass with an aqueous phosphoric acid solution. The fiberglass product is subsequently rinsed, dried and chopped for reuse. See the abstract, and cols. 1 and 2.

Yount teaches all limitation with the exception of using a washer/ extractor machine.

AL-Jumah et al. teach a process for removing contaminants from polyolefins. The reference teaches using a washer extractor machine. See Examples 11 and 12.

It would have been obvious for one skilled in the art to use the washer extractor taught by AL-Jumah et al. in the Yount's process to obtain the claimed process. This is because it is known in the art to use a washer/extractor machine for processing fiber.

Re. Claims 2-8, 11-12, 15-17, 19-22, and 25, Yount does not teach applying a sizing composition, forming fiberglass mat, the single and the multi-chamber washer/extractor machine, drying the fiber in an oven, forming the slurry as claimed.

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Dong teaches a method of forming bicomponent mat of glass fibers. Dong teaches the sizing composition, forming the fiberglass mat, drying the fiber in an oven, forming slurry, and the bicomponent mats may be made using conventional equipment in a batch, semi-batch, or a continuous process. See col. 9, lines 6-65, col. 7, lines 8-35, col. 8, lines 46-63, col. 5, lines 12-22, col. 4, lines 1-34, the claims, and the abstract.

It would have been obvious for one skilled in the art to use the sizing, and forming the mat taught by Dong in the Yount's process to obtain the claimed process. This is because both references are from the same technical endeavor which is a process of recycling fiber. One skilled in the art would use the multi-chamber to improve the reclaiming process. It would have been obvious for one skilled in the art to use the sizing composition to produce smooth uninterrupted surface free from errant fibers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeinab E. EL-Arini whose telephone number is (703) 308-3320. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on (703) 308-4333. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9310 for regular communications and (703)872-9311 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

*Zeinab E. EL-Arini*

Zeinab E. EL-Arini  
Primary Examiner  
Art Unit 1746

ZEE  
January 7, 2003